

OFFICIAL GAZETTE



GOVERNMENT OF GOA

Note: There is one Extraordinary issue to the Official Gazette Series I No. 50 dated 14-3-2002 namely Extraordinary dated 19-3-2002 from pages 1355 to 1356 regarding Notification from Department of Law & Judiciary (Legal Affairs Division).

GOVERNMENT OF GOA

Department of Law & Judiciary

Legal Affairs Division

Notification

10/4/99-LA(Vol. III)(1)

The Institutes of Technology (Amendment) Second Ordinance, 2001 (Ordinance No. 10 of 2001) which has been promulgated by the President of India in the Fifty-second Year of the Republic of India and published in the Gazette of India, Extraordinary, Part II-Section 1, No. 69, dated 30-12-2001, is hereby published for general information of the public.

S. G. Marathe, Under Secretary (Drafting).

Panaji, 20th February, 2002.

MINISTRY OF LAW, JUSTICE AND
COMPANY AFFAIRS

(Legislative Department)

New Delhi, the 30th December, 2001/Pausa
9, 1923 (Saka)

THE INSTITUTES OF TECHNOLOGY
(AMENDMENT) SECOND ORDINANCE, 2001

No. 10 of 2001

Promulgated by the President in the Fifty-second
Year of the Republic of India.

An Ordinance further to amend the Institutes
of Technology Act, 1961.

Whereas the Institutes of Technology (Amendment) Ordinance, 2001 further to amend the Institutes of Technology Act, 1961 was promulgated by the President on the 21st day of September, 2001;

And whereas the Institutes of Technology Bill, 2001 was introduced in the Council of States, but has not been passed;

And whereas Parliament is not in session and the President is satisfied that circumstances exist which render it necessary for him to take immediate action to give further continued effect to the provisions of the said Ordinance;

Now, therefore, in exercise of the powers conferred by clause (1) of article 123 of the Constitution, the President is pleased to promulgate the following Ordinance:—

1. *Short title and commencement.*— (1) This Ordinance may be called the Institutes of Technology (Amendment) Second Ordinance, 2001.

(2) It shall be deemed to have come into force on the 21st day of September, 2001.

2. *Amendment of section 2.*— In section 2 of the Institutes of Technology Act, 1961 (hereinafter referred to as the 59 of 1961 principal Act), for the words "Kanpur and the Indian Institute of Technology, Madras", the words "Kanpur, the Indian Institute of Technology, Madras and the Indian Institute of Technology, Roorkee" shall be substituted.

3. *Amendment of section 3.*— In section 3 of the principal Act,—

(a) in clause (c),—

(i) the word "and" appearing at the end of sub-clause (ii) shall be omitted;

(ii) in sub-clause (iii), after the words "the Indian Institute of Technology, Madras;", the word "and" shall be inserted; and

(iii) after sub-clause (iii), the following sub-clause shall be inserted, namely:—

"(iv) in relation to the University of Roorkee, Roorkee, the Indian Institute of Technology, Roorkee;"

(b) after clause (k), the following clause shall be inserted, namely:—

'(l) "University of Roorkee" means the University of Roorkee established under the Roorkee University Act, 1947.'

U. P. Act IX
of 1948.

4. *Amendment of section 4.*— In section 4 of the principal Act, after sub-section (1B), the following sub-section shall be inserted, namely:—

"(1C) The University of Roorkee, Roorkee shall, on such incorporation, be called the Indian Institute of Technology, Roorkee."

5. *Insertion of new section 5A.*— After section 5 of the principal Act, the following section shall be inserted, namely:—

"5A. *Effect of incorporation of Institute of Technology, Roorkee.*— On and from the commencement of the Institutes of Technology (Amendment) Second Ordinance, 2001,—

(a) any reference to the University of Roorkee in any law (other than this Ordinance) or in any contract or other instrument shall be deemed as a reference to the Indian Institute of Technology, Roorkee;

(b) all property, movable and immovable, of or belonging to the University of Roorkee, shall vest in the Indian Institute of Technology, Roorkee;

(c) all rights and liabilities of the University of Roorkee shall be transferred to, and be the rights and liabilities of, the Indian Institute of Technology, Roorkee;

(d) every person employed by the University of Roorkee immediately before such commencement shall hold his office or service in the Indian Institute of Technology, Roorkee by the same tenure, at the same remuneration and upon the same terms and conditions and with the same rights and privileges as to pension, leave, gratuity, provident fund and other matters as he would have held the same if this Ordinance had not been promulgated and shall continue to do so unless and until his employment is terminated or until such tenure, remuneration and terms and conditions are duly altered by the Statutes:

Provided that if the alteration so made is not acceptable to such employee, his employment may be terminated by the Indian Institute of Technology, Roorkee in accordance with the terms of the contract with the employee or, if no provision is made therein in this behalf, on payment to him by the Indian Institute of Technology, Roorkee of compensation equivalent to three months' remuneration in the case of permanent employees and one month's remuneration in the case of other employees:

Provided further that any reference, by whatever form of words, to the Vice-Chancellor and Pro-Vice-Chancellor of the University of Roorkee in any law for the time being in force, or in any instrument or other document, shall be construed as a reference to the Director and the Deputy Director, respectively, of the Indian Institute of Technology, Roorkee; and

(e) on the commencement of the Institutes of Technology (Amendment) Second Ordinance, 2001, the Vice-Chancellor of the University of Roorkee, appointed under the provisions of the Roorkee University Act, 1947 shall be deemed to have been appointed as Director under the Ordinance, and shall hold office for a period of three months or till such time the Director is appointed whichever is earlier.

U. P. Act IX
of 1948.

Explanation.— The reference in this section to the commencement of this Ordinance shall be construed in relation to the Indian Institute of Technology, Roorkee as the reference to the date on which the provisions of the Institutes of Technology (Amendment) Second Ordinance, 2001 come into force."

6. *Amendment of section 38.*— In section 38 of the principal Act,—

(a) after clause (d), the following clauses shall be inserted, namely:—

“(e) the Syndicate of the University of Roorkee functioning as such immediately before the commencement of this Ordinance shall continue to so function until a new Board is constituted for the Indian Institute of Technology, Roorkee under this Ordinance, but on the constitution of a new Board under this Ordinance, the members of the Syndicate holding office before such constitution shall cease to hold office;

(f) the Academic Council of the University of Roorkee functioning as such immediately before the commencement of this Ordinance shall continue to so function until a new Senate is constituted for the Indian Institute of Technology, Roorkee under this Ordinance, but on the constitution of a new Senate under this Ordinance, the members of the Academic Council holding office before such constitution shall cease to hold office;

(g) until the first Statutes and the Ordinances in relation to the Indian Institute of Technology, Roorkee are made under this Ordinance, the Statutes and Ordinances of the Indian Institute of Technology, Bombay as in force immediately before the commencement of the Institutes of Technology (Amendment) Second Ordinance, 2001 shall apply to the Indian Institute of Technology, Roorkee with the necessary modifications and adaptations in so far as they are not inconsistent with the provisions of this Ordinance;

(h) notwithstanding anything contained in the Institutes of Technology (Amendment) Second Ordinance, 2001, any student who joined classes of the University of Roorkee on or after the commencement of 1994-95 academic session shall, for the purpose of clause (b) of sub-section (1) of section 6, be deemed to have pursued a course of study in the Indian Institute of Technology, Roorkee provided that such student has not already been awarded degree or diploma for the same course of study;

(i) if any difficulty arises in giving effect to the provisions of the Institutes of

Technology (Amendment) Second Ordinance, 2001, the Central Government may, by order published in the Official Gazette, make such provisions not inconsistent with the provisions of this Ordinance as may appear to be necessary for removing the difficulty:

Provided that no order shall be made under this clause after the expiry of two years from the commencement of the Institutes of Technology (Amendment) Second Ordinance, 2001:

Provided further that every order made under this clause shall be laid, as soon as may be after it is made, before each House of Parliament.”.

(b) *Explanation* shall be numbered as *Explanation 1* thereof and after *Explanation 1* as so numbered, the following *Explanation* shall be inserted, namely:—

“*Explanation 2.*— The reference in clauses (e) and (f) of this section to the commencement of this Ordinance shall be construed in relation to the Indian Institute of Technology, Roorkee as the reference to the date on which the provisions of the Institutes of Technology (Amendment) Second Ordinance, 2001 come into force.”.

7. *Repeal and savings.*— (1) The Roorkee University Act, 1947 is hereby repealed. U. P. Act IX of 1948.

(2) The provisions of the General Clauses Act, 1897 shall apply to the repeal of the said Act as if the said Act were a Central Act. 10 of 1897.

(3) The Institutes of Technology (Amendment) Ordinance, 2001 is hereby repealed. Ord. 6 of 2001.

(4) Notwithstanding such repeal, anything done or any action taken under the repealed Ordinance shall be deemed to have been done or taken under the corresponding provisions of the principal Act, as amended by this Ordinance.

K. R. NARAYANAN,
President.

SUBHASH C. JAIN,
Secy. to the Govt. of India.

Department of Personnel

Notification

1/21/87-PER (Pt.)

In exercise of the powers conferred by the proviso to Article 309 of the Constitution, and in supersession of the existing Recruitment Rules for the relevant posts, the Governor of Goa hereby makes the following rules to regulate the recruitment to the Group 'C', Non-Ministerial, Non-Gazetted post in the Directorate of Education, Government of Goa, namely:—

1. *Short title, application and commencement.*— (1) These rules may be called the Government of Goa, Directorate of Education, Group 'C', Non-Ministerial, Non-Gazetted posts, Recruitment Rules, 2002.

(2) They shall apply to the posts specified in column (1) of the Schedule to these rules (hereinafter called as the "said Schedule").

(3) They shall come into force from the date of their publication in the Official Gazette.

2. *Number, classification and scales of pay.*— The number of posts, classification of the said posts and the scales of pay attached thereto shall be as specified in columns (2) to (4) of the said Schedule:

Provided that the Government may vary the number of posts in column (2) of the said Schedule from time to time subject to exigencies of work.

3. *Method of recruitment, age limit and other qualifications.*— The method of recruitment to the said posts, age limit, qualifications and other

matters connected therewith shall be as specified in columns (5) to (13) of the said Schedule.

4. *Disqualification.*— No person who has entered into or contracted a marriage with a person having a spouse living or who, having a spouse living, has entered into or contracted a marriage with any person, shall be eligible for appointment to the service:

Provided that the Government may, if satisfied that such marriage is permissible under the personal law applicable to such person and the other party to the marriage and that there are other grounds for so doing, exempt any person from the operation of this rule.

5. *Power to relax.*— Where the Government is of the opinion that it is necessary or expedient so to do, it may, by order, for reasons to be recorded in writing, relax any of the provision of these rules with respect to any class or category of persons.

6. *Saving.*— Nothing in these rules shall affect reservation, relaxation of age limit and other concessions required to be provided for Scheduled Castes, and other special categories of persons in accordance with the orders issued by the Government from time to time in that regard.

By order and in the name of the Governor
of Goa.

G. P. Chimulkar, Joint Secretary (Personnel).

Panaji, 28th February, 2002.

SCHEDULE

Name/ /Desig- -nation of post	No. of posts	Classifi- cation	Scale of pay	Whether selection post or non- -selec- tion post	Age limit for direct recruits	Whether the benefit of added years of service is admissible under Rule 30 of CCS (Pension) Rules, 1972	Educational and other qualifications required for direct recruits	Whether age & educational qualifications prescribed for the direct recruits will apply in the case of promotees	Period of proba- tion, if any	Method of recruitment, whether by direct or by promotion or by deputation/ /transfer/ /contract and percentage of the vacancies to be filled by various methods	In case of recruitment by promotion/ /deputation/ /transfer, grades from which promotion/ /deputation/ /transfer is to be made	If a D. P. C. exists, what is its composi- tion	Circum- stances in which Goa Public Service Commission is to be consulted in making recruitment.
1	2	3	4	5	6	7	8	9	10	11	12	13	14
Assis- tant Teach- ers/ Junior Instruc- tors.	420 (2002) Subject to varia- tion de- pendent onwork- load.	Group 'C' Non- -Mini- sterial Non- -Gazet- ted.	Rs. 5000- 150- 8000	Selec- tion.	Not exceeding 40 years (Relax- able for Gov- ernment Serv- ants in accord- ance with the instructions or orders issued by the Govern- ment).	N. A.	<i>Essential:</i> i) Degree of a recog- nised University or equivalent in the concerned stream i. e. Arts, Science or Com- merce. ii) Degree in Educa- tion/Teaching fail- ing which Diploma in Education/ Teaching. iii) Proficiency in English. iv) Successful com- pletion of Pre-Em- ployment Training Scheme condu- cted by the Gov- ernment of Goa. v) Knowledge of Konkani. <i>Disirable:</i> Knowledge of Marathi.	Age: No. 2 years. Educa- tional Qualifi- cations: Yes.	50% by promotion failing which by direct recruitment and 50% by direct recruitment.	<i>Promotion:</i> Primary School Teachers/ Supervisors (Adult Education) with 5 years regular service in the grade.	Group 'C' D. P.C.	N. A.	

Government Printing Press

Notice

The subscribers to the Official Gazette are kindly reminded that their present subscription term ends on the 31st March, 2002, being the end of financial year.

In case they wish to continue to be subscribers for the ensuing financial year of 2002-2003 they have to renew their subscriptions from 1st April, 2002.

Subscriptions also can be opened for half year i.e. from 1st April, 1st July or 1st October or for any quarter, beginning on 1st April, 1st July, 1st October or 1st January.

Renewal of subscription from 1st April should be effected on or before 31st March, 2002 in order to avoid interruption in the despatch of copies of the Gazette. It should be noted that, in case the subscription is not opened/renewed before the commencement of the period to which it refers, the subscribers will be entitled to receive copies of the Gazette only from the date the subscription is actually opened/renewed.

The subscription charges are accepted either in cash, postal order or demand draft, drawn only on State Bank of India, Panaji, in favour of the Director, Printing and Stationery, Panaji-Goa. Remittances by

cheques or any other form of payment will not be accepted.

The payment of subscriptions will also be accepted at the Margao Branch of this Office situated in the Comunidade Building at Margao.

The revised subscription rates, with effect from 1-1-2000 are as follows:

SUBSCRIPTION RATES

(Within the Union of India)

	All 3 Series	Series I	Series II	Series III
	Rs. P.	Rs. P.	Rs. P.	Rs. P.
For any quarter.....	220.00	120.00	100.00	120.00
(Postage).....	20.00	10.00	10.00	10.00
For half year.....	300.00	150.00	120.00	150.00
(Postage).....	40.00	20.00	20.00	20.00
For any period exceeding 6 months upto one year.....	480.00	240.00	200.00	240.00
(Postage).....	80.00	40.00	40.00	40.00

The postal charges indicated above are provisional and may be changed at any time during the subscription period.